

 <p style="text-align: center;">WEST VIRGINIA DIVISION OF JUVENILE SERVICES</p>	<p><u>POLICY NUMBER:</u></p> <p style="font-size: 2em; text-align: center;">150.00</p>	<p><u>PAGES:</u></p> <p style="text-align: center;">3</p>
<p><u>CHAPTER:</u></p> <p>Administration and Management</p>	<p><u>REFERENCE AND RELATED STANDARDS:</u></p> <p>WV Code Chapter §49-5E-1 et seq.; ACA 3-JTS-1C-07-2 and 2F-02; ACA 3-JDF-1C-05-2 and 2F-02; and ACA 3-JCRF-1C-03-1 and 2F-02; <u>Americans with Disabilities Act of 1990 and Amendments</u>; <u>W.Va. Human Rights Act §5-11-1 et seq.</u>, <u>Rehabilitation Act of 1973</u>; <u>EEOC Uniform Guidelines</u>; <u>W. Va. White Cane Law §5-15-7</u>; <u>Worker's Compensation Act W. Va. Code §23-1-1 et seq.</u></p>	
<p><u>SUBJECT:</u> Reasonable Accommodations for Persons with Disabilities</p>		
<p><u>DATE:</u> October 1, 2007</p>		

POLICY

The West Virginia Division of Juvenile Services is committed to the fair and equal employment and access to our facilities for all people with disabilities. Reasonable accommodation is one key to this non-discrimination policy. It is the policy of the Division to accommodate qualified individuals with disabilities unless the accommodation is unreasonable and would impose an undue hardship on the Division or hinder the safety of oneself and/or others. The DJS will consider requests for accommodations for qualified individuals with disabilities when the accommodations are directly related to performing the essential functions of a job, competing for a job, or to enjoy equal benefits and privileges of employment.

CANCELLATION

This policy has been reviewed and supersedes Policy Directive 4.36 dated January 1, 2005.

APPLICABILITY

This Policy applies to ALL Division of Juvenile Services' facilities.

DEFINITIONS

1. **Direct Threat:** Direct threat means a significant risk of substantial harm to the health or safety of any person, including the applicant or employee with a disability, that cannot be eliminated or reduced by reasonable accommodation.

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2. **Qualified Individual with a Disability:** A qualified individual with a disability means an individual with a disability who satisfies the requisite skill, experience, education, and other job-related requirements for the employment position such individual holds or desires, and who, with or without reasonable accommodation, can perform the functions of such position.
3. **Undue Hardship:** An undue hardship means significant difficulty or expense.

PROCEDURES

1. Each facility shall provide a mechanism to process requests for reasonable accommodation to the known physical and/or mental impairments of a qualified individual with a disability, either an applicant or an employee. The accommodation need not be granted if it would impose an undue hardship or direct threat.
2. Reasonable accommodation refers to modifications or adjustments which enable qualified applicants with disabilities to access the job application process or which enable qualified employees with disabilities to perform the essential functions of the job and to enjoy the same terms, conditions, and privileges of employment that are available to persons without disabilities. Terms, conditions, and privileges include, but are not limited to:
 - a. recruitment, selection, and hiring
 - b. salary and compensation
 - c. benefits, holidays, leave, and work hours
 - d. promotion and advancement
 - e. staff development, including in-service training
 - f. retirement, resignation, and termination
3. Each facility will have in place an operational policy and procedural plan to ensure the standards and practices of this policy are followed.

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RIGHTS RESERVED

The Director reserves the right to modify, suspend or cancel any provision herein in part or entirety, without advance notice, unless prohibited by law.

APPROVED:

Dele Hampton
Director

Oct 1, 2007
Date